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17 *Attorneys for Defendant and Counterclaimant*
DrugLogic, Inc.

18 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

19 ORACLE CORPORATION and ORACLE
INTERNATIONAL CORPORATION,
20 Plaintiffs,

v.

21 DRUGLOGIC, INC.,
22 Defendant.

23 DRUGLOGIC, INC.,
24 Counterclaimant,

v.

25 ORACLE CORPORATION, ORACLE
INTERNATIONAL CORPORATION, and
26 ORACLE AMERICA, INC.,
27 Counterclaim Defendants.

Case No. C 11-00910 JCS

**STIPULATION AND [PROPOSED]
ORDER GRANTING LEAVE TO
AMEND INVALIDITY AND
INFRINGEMENT CONTENTIONS**

The Honorable Joseph C. Spero

1 WHEREAS, Plaintiff/Counter-Defendant Oracle Corporation, Plaintiff/Counter-
2 Defendant Oracle International Corporation, Counter-Defendant Oracle America, Inc.
3 (collectively, “Oracle”) and Defendant/Counterclaimant DrugLogic, Inc. (“DrugLogic”)¹ served
4 their respective Infringement Contentions on September 8, 2011 (the “Infringement
5 Contentions”), and Invalidity Contentions on October 25, 2011 (the “Invalidity Contentions”)
6 (collectively, the “Contentions”).

7 WHEREAS, the Parties each have obtained additional discovery relating to their
8 Invalidity Contentions, including additional prior art and/or information regarding previously-
9 identified prior art references;

10 WHEREAS, the Parties each have obtained additional discovery relating to the
11 previously-accused products in their Infringement Contentions;

12 WHEREAS, the Parties were diligent in searching for prior art and in obtaining the
13 additional discovery, as well as in seeking to amend their respective Contentions; this case is near
14 the outset; discovery is in the early stages and claim construction is not set to take place for many
15 months; and the Parties agree that they will not be prejudiced by the proposed amendments by the
16 other Party;

17 NOW, THEREFORE, the Parties hereby stipulate by and through their counsel of record,
18 and jointly request pursuant to Patent Local Rule 3-6, as follows:

19 1. The Parties each may amend their Invalidity Contentions to add additional prior art
20 and/or information regarding previously-identified prior art references by February 21, 2012; and
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28 1. Oracle and DrugLogic shall be collectively referred to herein as the “Parties.”

1 2. The Parties each may amend their Infringement Contentions to add information
2 regarding previously-accused products by February 21, 2012.

3 **STIPULATED AND AGREED:**

4 Dated: January 27, 2012

5 Respectfully submitted,

6 KAREN JOHNSON-MCKEWAN
7 I. NEEL CHATTERJEE
8 MICHAEL C. SPILLNER
9 CHRISTINA M. VON DER AHE
ORRICK, HERRINGTON & SUTCLIFFE
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10 /s/ Christina M. Von der Ahe /s/

11 Christina M. Von der Ahe

12 *Attorneys for Plaintiffs and Counterclaim*
13 *Defendants Oracle Corp., Oracle Int'l Corp.,*
14 *and Oracle America, Inc.*

15 *Concurrence in the filing of this document has been obtained pursuant to General Order 45.*

16 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

17 Dated: January 31, 2012

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Respectfully submitted,

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/s/ Erin O. Millar /s/

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DrugLogic, Inc.

Hon. Joseph C. Spero
United States District Court

